

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LOUISE DALESANDRO,	:	CIVIL NO: 1:16-CV-00584
	:	
Plaintiff	:	
	:	(Chief Judge Conner)
v.	:	
	:	(Magistrate Judge Schwab)
STATE FARM MUTUAL	:	
AUTOMOBILE INSURANCE CO.,	:	
	:	
Defendant	:	
	:	

REPORT AND RECOMMENDATION

Given that the plaintiff has stipulated to the dismissal of Claim II of her complaint, *see doc. 11* (Stipulation of Dismissal of Claim II), we recommend that the Court deny as moot the defendant's motion (*doc. 4*) to dismiss, which seeks dismissal of Claim II.

The Parties are further placed on notice that pursuant to Local Rule 72.3:

Any party may object to a magistrate judge's proposed findings, recommendations or report addressing a motion or matter described in 28 U.S.C. § 636 (b)(1)(B) or making a recommendation for the disposition of a prisoner case or a habeas corpus petition within fourteen (14) days after being served with a copy thereof. Such party shall file with the clerk of court, and serve on the magistrate judge and all parties, written objections which shall specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis for such objections. The briefing requirements set forth in Local Rule 72.2 shall apply. A judge shall make a de novo determination of those portions of the

report or specified proposed findings or recommendations to which objection is made and may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The judge, however, need conduct a new hearing only in his or her discretion or where required by law, and may consider the record developed before the magistrate judge, making his or her own determination on the basis of that record. The judge may also receive further evidence, recall witnesses or recommit the matter to the magistrate judge with instructions.

Submitted this 17th day of May, 2016.

S/Susan E. Schwab

Susan E. Schwab

United States Magistrate Judge